

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BROCADE COMMUNICATIONS SYSTEMS,)
INC., a Delaware corporation, and FOUNDRY)
NETWORKS, LLC, a Delaware limited liability)
company,)

Plaintiffs,)

v.)

A10 NETWORKS, INC., a California)
corporation, LEE CHEN, an individual,)
RAJKUMAR JALAN, an individual, RON)
SZETO, an individual, LIANG HAN, an)
individual, STEVEN HWANG, an individual,)
and DAVID CHEUNG, an individual,)

Defendants.)

Case No.: 10-CV-03428-LHK

CASE MANAGEMENT ORDER

Based on the Joint Case Management Statement filed by the parties on February 11, 2011, the Court sets the following schedule:

CASE MANAGEMENT CONFERENCE ("CMC") is set for April 28, 2011 at 1:30 p.m. The Court strongly encourages the parties to resolve their dispute regarding the A10 AX 5200 device in advance of the CMC. If the parties are unable to do so, the Court will address this issue at the CMC.

DISCOVERY: The Court rejects the phasing of discovery as proposed by Defendants. However, discovery unique to Plaintiffs' claims of trade secret misappropriation cannot commence until Plaintiff identifies its trade secrets with reasonable particularity as required by Cal. Code Civ. Proc. § 2019.210. All other discovery shall commence now, including discovery of source code relevant to the copyright and patent infringement claims.

INITIAL DISCLOSURES: In the JCMS, the parties stated that initial disclosures would be exchanged on February 28, 2011. If this did not occur, the parties shall exchange initial disclosures by no later than April 7, 2011.

DISCOVERY LIMITS:

Deposition hours: 200, excluding experts

Interrogatories: 75 per party

Production of documents shall be in TIFF file format. A party may request that specific documents be produced in native format. Such requests shall not be unreasonably made or unreasonably denied.

CLAIM CONSTRUCTION: The Court will construe a maximum of ten claim terms.

PROTECTIVE ORDER: The District's Model Stipulated Protective Order for Litigation Involving Patents, Highly Sensitive Confidential Information and/or Trade Secrets shall be the operative Protective Order in this matter unless and until Judge Grewal enters another stipulated Protective Order. The parties shall submit any such stipulated Protective Order for Court approval by April 22, 2011.

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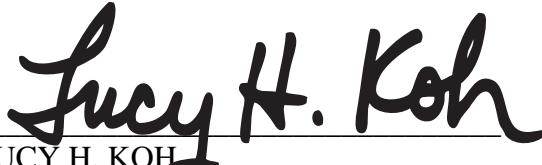
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MINUTE ORDER AND CASE MANAGEMENT ORDER

EVENT	Date
Disclosure of Asserted Claims/Infringement Contentions	April 7, 2011
Invalidity Contentions	May 23, 2011
Exchange of Proposed Terms and Claim Elements	June 6, 2011
Deadline to Amend Pleadings	90 days after Defendants Answer
Parties Meet and Confer re: list of terms and claim elements	June 13, 2011
Simultaneous Exchange of Preliminary Claim Constructions and Preliminary Identification of Extrinsic Evidence	June 27, 2011
Parties Meet and Confer re: Prelim Claim Constructions and Extrinsic Evidence	June 30, 2011
Simultaneous Exchange of Responsive Claim Constructions	July 7, 2011
Filing of Jt. Claim Construction and Pre-Hearing Statement	July 22, 2011
Completion of Claim Construction Discovery	Aug. 22, 2011
Opening Claim Construction Brief*	Sept. 8, 2011
Responsive Claim Construction Brief	Sept. 22, 2011
Reply Claim Construction Brief	September 29, 2011
2 Hour Tutorial (1 hour for each party)	Oct. 21, 2011 (Fri. at 2 p.m.)
3 Hour Claim Construction Hearing (1.5 hour for each party)	Oct. 28, 2011 (Fri. at 2 p.m.)
Further Case Management Conference	Nov. 30, 2011 at 2 p.m.

IT IS SO ORDERED.

Dated: March 24, 2011


LUCY H. KOH
United States District Judge